

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: Weber et al.

Docket: 1999DE133/C1/D

Serial No.: 10/807,634

Group Art Unit: 1626

Filed: 3/24/2004

Examiner: Saeed, Kamal A.

For: Pigment Dispersants Based on Diketopyrrolopyrrole Compounds and  
Pigment Preparations**CERTIFICATION OF FACSIMILE TRANSMISSION**Mail Stop:  
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I hereby certify that the following papers are being facsimile transmitted to  
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1. Terminal Disclaimer to Obviate a Provisional Double Patenting Rejection  
Over a Pending Second Application for 10/375,573) with Fee Transmittal  
Page (2 pages)
2. Terminal Disclaimer to Obviate a Provisional Double Patenting Rejection  
Over a Pending Second Application for 10/375,668) with Fee Transmittal  
Page (2 pages)

Total Pages including Certification of Transmission:

5Vicki L. Sgro: 

Date: May 12, 2005

PTO/SB/25 (08-03)

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REJECTION OVER A PENDING SECOND APPLICATION**

Docket Number (Optional)

1999DE133/C1/D

In re Application of: Weber, et al.

Application No.: 10/807,634

Filed: 3/24/2004

For: Pigment Dispersants Based on Diketopyrrolopyrrole Compounds and Pigment Preparations

The owner, Clariant GmbH, of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 and 173 as shortened by any terminal disclaimer filed prior to the grant of any patent granted on pending second Application Number 10/375,573, filed on 02/27/2003, of any patent on the pending second application. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the second application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of any patent granted on the second application, as shortened by any terminal disclaimer filed prior to the patent grant, in the event that any such granted patent expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

Check either box 1 or 2 below, if appropriate.

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2. ☒ The undersigned is an attorney or agent of record.

Anthony A. Bisulca 5/12/05  
Signature Date

Anthony A. Bisulca

Typed or printed name

(704) 331-7151

Telephone Number

- ☒ Terminal disclaimer fee under 37 CFR 1.20(d) is included.

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\*Statement under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignee (owner).  
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This collection of information is required by 37 CFR 1.321. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PTO/SB/17 (12-04v2)

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Effective on 12/08/2004. Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4618). <b>FEE TRANSMITTAL</b> <b>For FY 2005</b>		<b>Complete if Known</b> Application Number <u>10/807,634</u> Filing Date <u>03/24/2004</u> First Named Inventor <u>Weber, et al.</u> Examiner Name <u>Kamal A. Saeed</u> Art Unit <u>1626</u> Attorney Docket No. <u>1999DE133-C1-D</u>	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27			
TOTAL AMOUNT OF PAYMENT (\$) <u>130.00</u>			

## METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): \_\_\_\_\_  
☒ Deposit Account Deposit Account Number: 03-2060 Deposit Account Name: Clariant Corporation

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee  
☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 ☒ Credit any overpayments

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## FEE CALCULATION

## 1. BASIC FILING, SEARCH, AND EXAMINATION FEES

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

## 2. EXCESS CLAIM FEES

## Fee Description

Each claim over 20 (including Reissues)

Fee (\$)

50

Small Entity

Fee (\$)

25

Each independent claim over 3 (including Reissues)

200

100

Multiple dependent claims

360

180

## Total Claims

## Extra Claims

## Fee (\$)

## Fee Paid (\$)

- 20 or HP =

x

= 0.00

HP = highest number of total claims paid for, if greater than 20.

## Indep. Claims

## Extra Claims

## Fee (\$)

## Fee Paid (\$)

- 3 or HP =

x

= 0.00

HP = highest number of independent claims paid for, if greater than 3.

## Multiple Dependent Claims

## Fee (\$)

## Fee Paid (\$)

## 3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

## Total Sheets

## Extra Sheets

## Number of each additional 50 or fraction thereof

## Fee (\$)

## Fee Paid (\$)

- 100 =

/ 50 =

(round up to a whole number) x

250.00

= 0.00

## 4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

## Fees Paid (\$)

Other (e.g., late filing surcharge): Statutory (Terminal) Disclaimer over pending application

130.00

SUBMITTED BY			
Signature	<u>Anthony A. Beulca</u>	Registration No.	40,913
Name (Print/Type)	Anthony A. Beulca	Telephone	704-331-7151
		Date	May 12, 2005

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PTO/SB/26 (08-08)

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

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Anthony A. Bisulca 5/12/05  
Signature Date

Anthony A. Bisulca

Typed or printed name

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Telephone Number

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PTO/SB/17 (12-04v2)

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TOTAL AMOUNT OF PAYMENT (\$)		130.00	

## METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): \_\_\_\_\_  
☒ Deposit Account Deposit Account Number: 03-2060 Deposit Account Name: Clariant Corporation  
 For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)  
☒ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee  
☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 ☒ Credit any overpayments

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Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

## 2. EXCESS CLAIM FEES

Fee Description	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 (including Reissues)	50	25
Each independent claim over 3 (including Reissues)	200	100
Multiple dependent claims	360	180
<b>Total Claims</b>	<b>Extra Claims</b>	<b>Fee (\$)</b>
- 20 or HP =	x	= 0.00
HP = highest number of total claims paid for, if greater than 20.		
<b>Indep. Claims</b>	<b>Extra Claims</b>	<b>Fee (\$)</b>
- 3 or MP =	x	= 0.00
HP = highest number of independent claims paid for, if greater than 3.		
<b>Multiple Dependent Claims</b>		
<b>Fee (\$)</b>	<b>Fee Paid (\$)</b>	

## 3. APPLICATION SIZE FEE

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Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
- 100 =	/ 50 =	(round up to a whole number) x	250.00	= 0.00

## 4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)	Fees Paid (\$)
Other (e.g., late filing surcharge): Statutory (Terminal) Disclaimer over pending application	130.00

SUBMITTED BY			
Signature	<i>Anthony A. Bisulca</i>	Registration No. (Attorney/Agent)	40,913
Name (Print/Type)	Anthony A. Bisulca	Telephone	704-331-7151
		Date	May 12, 2005

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